

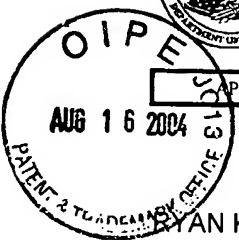
8/18/04

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/828,359	04/17/2004	Tom Westberg	F-5495 DIV

RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
MILWAUKEE, WI 53226

CONFIRMATION NO. 4891

FORMALITIES LETTER



OC000000013105177

Date Mailed: 06/29/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

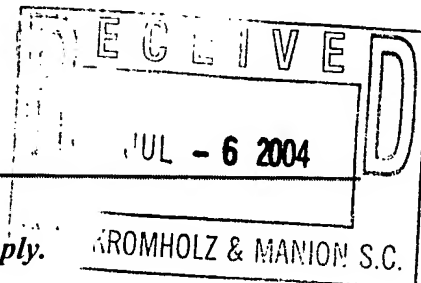
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- \$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
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*A copy of this notice **MUST** be returned with the reply.*

08/18/2004 AADDF01 00000061 10828359

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130.00 OP



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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



PATENT

Attorney Docket No. 0360-0172.01 (F-5495 DIV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Tom Westberg
Mark Vandlik
Rohit Vishnoi

Serial No.: 10/828,359

Filed: April 20, 2004

Group Art No.: Not Yet Assigned

Examiner: Not Yet Assigned

For: FLUID PRESSURE ACTUATED
BLOOD PUMPING SYSTEMS AND
METHODS WITH CONTINUOUS
INFLOW AND PULSATILE OUTFLOW
CONDITIONS

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

"Express Mail" Mailing Label No.:

EV459448735US

Date of Deposit August 17, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office Box Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

NAME Kathleen Johnson

SIGNATURE 

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NON-PROVISIONAL APPLICATION**

Dear Sir:

In response to the Notice To File Missing Parts Of Non-Provisional Application mailed June 29, 2004, enclosed are the following:

1. Copy of Declaration of Tom Westberg, Mark Vandlik, and Rohit Vishnoi filed in parent application serial number

09/390,265 filed September 3, 1999. The present application is a division of such parent application.

2. Copy of the Notice to File Missing Parts of Application (Part 2).

3. A check in the amount of \$130.00 is enclosed for the Declaration surcharge fee (\$130.00).

Please charge deposit account no. 50/1039 for any fee deficiency. (A duplicate copy of this letter is enclosed).

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Gary W. McFarron", is written over a horizontal line.

Gary W. McFarron, Esq.
Registration No. 27,357

Cook, Alex, McFarron, Manzo,
Cummings & Mehler, Ltd.
200 West Adams St., Suite 2850
Chicago, IL 60606
Telephone: (312) 236-8500

Attorneys for Applicant



PATENT

Attorney Docket No. 0360-0172.01 (F-5495 DIV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Tom Westberg
Mark Vandlik
Rohit Vishnoi

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NAME Kathleen Johnson

SIGNATURE

Mail Stop Missing Parts
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P.O. Box 1450
Alexandria, VA 22313-1450

Certificate of Mailing Under 37 CFR 1.10

I hereby certify that the correspondence listed below is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, **Label No. EV 459448735 US** under 37 CFR 1.10 on July 28, 2004 and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450:

1. Request for Correction of Filing Receipt (2 sheets);
2. Copy of Corrected Filing Receipt (2 sheets);
3. Response to Notice to File Missing Parts of Non-Provisional Application in duplicate (4 sheets);
4. Copy of Declaration filed in parent application serial number 09/390,265 filed September 3, 1999 (5 sheets);
5. Copy of the Notice to File Missing Parts of Application -Part 2 (2 sheets);
6. Check number 17820 in the amount of \$130.00 for Declaration Surcharge Fee (\$130.00)
7. Certificate of Mailing (2 sheets);and

7. Return Receipt Postcard.

Name: Kathleen Johnson

Signature: 